

July 26, 2005

The Honorable Richard G. Stearns  
United States District Judge  
District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
One Court House Way, Suite 2300  
Boston, MA 02210

Re: Civil Action No. 04-10438-RGS  
354 F. Supp 2d, 73 (2005)

Dear Judge Stearns:

I write to you as a concerned citizen. If someone had knowledge of a wrongdoing secretly perpetrated upon me, I would be grateful if that person had the courage to come forward and tell me. Therefore, I feel obligated to share the following with you.

I do not know, nor have I ever met any of the plaintiffs or personal defendants in the case you decided on February 4<sup>th</sup> of this year. I stand to make no gain by this. By an extreme coincidence of fate, I came across the Diomed case .

On the face of your ruling and based upon the facts presented to you at the time, I believe you made a correct ruling. What you were not aware of and never got to factor into your decision, is the secretive way in which Verus International goes about executing their manipulative Pump and Dump stock schemes on public company upon public company. This is the part of the equation I know personally, as having recently served on the Board of Directors of a public company whose shareholders were subjected to the exact same scheme, by the exact same people, using the exact same method.

I am petitioning the State Court in New York City for legal authorization so that I may forward to you a letter sent on my behalf to the SEC detailing how Verus International executed this exact same scheme on the innocent shareholders of Dobi Medical International. Judge Smith in NY will decide

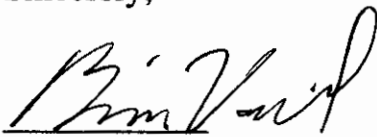
whether I can forward this letter to you which shows how this scheme is secretly executed upon the innocent investors in public companies.

I know you have intimate first hand knowledge of the Diomed case presented before your Court for your decision. The additional information of how this scheme is executed in secret may or may not change your mind. Under the Private Securities Litigation "Reform" Act, innocent shareholders of public companies will never know, or even be allowed to find out, what goes on in secret. Somehow, this just does not seem fair, especially when the purpose of the justice system is to seek the truth.

From my limited vantage point, I see the innocent investors of the public companies referred to on Exhibit H, paragraph 55, Page 13 of the *Garvey* complaint as being forever defrauded, with no knowledge or remedy for justice solely because no one was on the inside watching out for them.

I hope this new information will help you in weighing the balance of the equities and determining the fairness of your decision in the Diomed case. That is why I am spending my own money in lawyers fees so that you can have the whole picture. From your vantage point, if this does make you come to a different conclusion, I hope, in the interest of justice, that you will act according to your conscience.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Vodicka", written in a cursive style.

Brian Vodicka  
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